

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

LONNIE ANTICO, :
Plaintiff, : NO. 1:11-CV-00640
v. :
: ORDER
COMMISSIONER OF SOCIAL :
SECURITY :
Defendant.

This matter is before the Court on the Magistrate Judge's Report and Recommendation (doc. 10), Plaintiff's objections thereto (doc. 11), and the Commissioner's response to Plaintiff's objections (doc. 12). In her Report and Recommendation, the Magistrate Judge recommends that the decision of the Administrative Law Judge ("ALJ") denying Plaintiff's applications for disability insurance benefits and supplemental security income be affirmed and this case be dismissed from the Court's docket.

In brief, Plaintiff filed applications for supplemental security income and disability insurance benefits, alleging a disability onset of December 31, 2007, due to both physical and mental impairments (doc. 10). The ALJ determined that Plaintiff suffered from mild degenerative changes of the

lumbar spine with grade I retrolisthesis of L1 on L2; status-post ventral hernia repair; right knee complex bilateral meniscal tears with a bucket handle tear laterally; anterior cruciate ligament deficiency; medial and lateral compartment chondromalacia; large loose body in the anteromedial aspect of the knee joint; a depressive disorder; an anxiety disorder; and a history of polysubstance abuse (Id.). However, the ALJ further determined that Plaintiff was not disabled under the Social Security Act and that he had the residual functional capacity to perform a limited range of sedentary work, with certain restrictions (Id.).

Plaintiff presented four assignments of error to the Court: (1) the ALJ erred by improperly discrediting Plaintiff's credibility; (2) the ALJ erred by using an incorrect legal standard; (3) the ALJ erred by failing to consider evidence of Major Depressive Disorder with Psychotic Features; and (4) the ALJ erred by relying on vocational expert testimony that did not accurately portray Plaintiff's limitations (Id.). The Magistrate Judge rejected these assignments of error, determining that the ALJ's decisions were supported by substantial evidence (Id.).

Plaintiff objects to the Magistrate Judge's Report & Recommendation, largely reiterating the arguments set forth in his assignment of errors (doc. 11). Noting the similarity

between Plaintiff's original assignments of error and his objections to the Magistrate Judge's report, the Commissioner essentially rests on his original brief (doc. 12)

As required by 29 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered de novo all of the filings in this matter. Upon thorough consideration of the foregoing, the Court finds Plaintiff's objections unpersuasive and determines that the Magistrate Judge's Report and Recommendation is thorough, well-reasoned and correct. Consequently, the Court ADOPTS and AFFIRMS it in its entirety (doc. 10). Accordingly, the decision of the Commissioner is AFFIRMED and this matter is closed from the Court's docket.

SO ORDERED.

Dated: November 7, 2012 s/S. Arthur Spiegel
S. Arthur Spiegel
United States Senior District Judge